

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**THE TRAVELERS INDEMNITY COMPAY**

**PLAINTIFF**

**V.**

**CIVIL ACTION NO. 4:12-cv-41-MPM-JMV**

**GARY CHENEVERT**

**DEFENDANT**

**ORDER**

This cause is before the court on the plaintiff's motions to stay the proceedings in the present action pending the outcome of Travelers' appeal to the Fifth Circuit in the related case *Chenevert v. GC Constructors, et al.* 4:10-cv-00113-GHD-DAS, hereafter referred to as the Jones Act Case (#22).

The court, having reviewed the record, the motion, the briefs of the parties, and the applicable law, and having heard oral argument, finds as follows:

The court has considered the standard set forth by the Fifth Circuit which requires the weighing of equities and hardships in order to determine whether a stay should be granted or denied in circumstances such as those in the instant case. *United States v. Baylor University Medical Center*, 711 F.2d 38, 39 (5th Cir.1983); *Wedgeworth v. Fibreboard Corp.*, 706 F.2d 541 (5th Cir.1983). After weighing these factors and for the reasons announced by the court on the record at the motion hearing on March 21, 2012, the court finds the motion to be well taken, and it shall be **GRANTED**.

**IT IS, THEREFORE, ORDERED** that this matter shall be stayed for the earlier of six (6) months or the entry of a decision by the Fifth Circuit in the Jones Act Case.

This, the 22<sup>nd</sup> day of March, 2013.

/s/Jane M. Virden  
U. S. MAGISTRATE JUDGE